

### **Remarks**

The non-final Office Action dated July 21, 2008 indicated that: claims 2-6 would be allowable if rewritten in independent form; claims 8-10 and 23 stand rejected under 35 U.S.C. § 112(2); claims 1, 16-17 and 19-20 stand rejected under 35 U.S.C. § 102(b) over Burger (U.S. Patent No. 4,288,255); claim 7 stands rejected under 35 U.S.C. § 103(a) over Burger in view of Rendemonti (U.S. Patent No. 4,020,857); claims 8-10 stand rejected under 35 U.S.C. § 103(a) over Burger in view of Shrigley (U.S. Patent Application No. 2001/0042797); claims 18 and 21-24 stand rejected under 35 U.S.C. § 103(a) over Burger; and claims 25-28 stand rejected under 35 U.S.C. § 103(a) over Burger in view of Shrigley in view of Syrovatka (U.S. Patent No. 3,883,356). Reconsideration and allowance of the claims is requested in light of the arguments presented below. In this response, Applicant does not acquiesce to any rejection or averment in this Office Action unless Applicant expressly indicates otherwise.

Applicant respectfully traverses the claim rejections under Sections 102 and 103. Each rejection relies upon the '255 reference, which does not disclose the subject matter as asserted in the Office Action. For example, the cited pre-rinsing station 2 in the '255 reference does not apply a coating formulation as suggested in the Office Action, and the rinsing station 3 does not "create a coating solution to evenly disperse the coating formulation on the vehicle." While the Office Action has cited only to the figures in the '255 reference and failed to cite to any supporting discussion thereof, Applicant has reviewed the corresponding discussion and cannot ascertain any disclosure of limitations directed to applying a coating formulation and, with the cited item "3" (rinse station), creating "a coating solution to evenly disperse the coating formulation." For example, referring to column 3:22-47, the rinsing station 3 does not form a coating solution with the asserted "surface agent" (alleged as corresponding to the claimed coating formulation) applied at pre-rinse station 2. Rather, it appears that the rinsing station 3 applies rinse water to "remove all remaining traces of soap or detergent" as described at column 4:7-16. Applicant further traverses the Section 103 rejections because the Office Action has not established a *prima facie* case of obviousness, for reasons including those discussed above regarding the '255 reference. In addition, the Office Action has not

established teaching or suggestion of all limitations via the combination of references, and further has failed to provide evidence of motivation regarding the same.

Notwithstanding the above, Applicant believes that the Sections 102 and 103 rejections are no longer applicable in view of the claim cancellations and amendments (for dependency upon claims indicated to be allowable).

Applicant has amended each of claims 2, 3 and 6 to include limitations of the base claim (claim 1), and understands these claims to be allowable in view of the Office Action's indications. Consistent with this amendment, Applicant has also amended various dependent claims to depend from these (allowable) independent claims.

Regarding the Section 112(2) rejection of claims 8-10, claim 8 has been amended to depend from claim 3, which discusses a tank. In this regard, Applicant believes that the rejection is no longer applicable. Correspondingly, the rejection of claims 9-10, which depend from claim 8, is also believed to be inapplicable.

Claims 1, 16-17 and 23-24 have been cancelled. Any rejections thereof are thus no longer believed to be applicable.

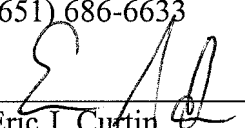
In view of the above, Applicant understands that the claims should be in condition for allowance. A favorable response is requested. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at (651) 686-6633.

Respectfully submitted,

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By: \_\_\_\_\_

  
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